

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

APPLE VALLEY NATURAL FOODS,	)	
INC., a Michigan Corporation and	)	
JENINE FARAH TSIKRETSIS	)	
	)	
Plaintiffs,	)	
v.	)	
	)	
TRAVELERS INDEMNITY COMPANY,	)	
a corporation,	)	
	)	
Defendant.	)	

**NOTICE OF REMOVAL OF A CIVIL ACTION**

Defendant, The Charter Oak Fire Insurance Company, incorrectly sued as Travelers Indemnity Company (“Charter Oak”), pursuant to 28 USC §1441, *et. seq.* and 28 U.S.C. §1332, for its Notice of Removal of the captioned suit, states as follows:

1. On August 31, 2020, a Complaint entitled *Apple Valley Natural Foods, Inc. and Jenine Farah Tsikretsis v. Travelers Indemnity Company* was filed by Apple Valley Natural Foods, Inc. and Jenine Farah Tsikretsis (“Plaintiffs”) against defendant “Travelers Indemnity Company,” in the Circuit Court of Cook County, Chancery Division, Case No. 2020 CH 06383.

2. On November 12, 2020, Plaintiffs effected service of process of the aforesaid Complaint (“Plaintiffs’ Complaint”) through the Director of the Illinois Department of Insurance. Though Plaintiffs’ Complaint names “Travelers Indemnity Company” as Defendant, it includes as an exhibit the insurance policy that is the subject of the action, which policy was actually issued by Charter Oak, which is a subsidiary of “The Travelers Indemnity Company.” A true copy of the summons and Plaintiffs’

Complaint are attached hereto as **Exhibit 1**, incorporated herein by reference and comprise all process, pleadings and orders served on Charter Oak in said action. The policy issued by Charter Oak to Plaintiff Apple Valley Natural Foods, Inc. (“Charter Oak policy”) is **Exhibit A** of Plaintiffs’ Complaint.

3. In Plaintiffs’ Complaint, Count I, Plaintiffs seek a judicial declaration that Jenine Farah Tsikretsis (“Tsikretsis”) qualifies as an insured under the Michigan Uninsured Motorist Coverage endorsement (“MI UM Endorsement,” **Exhibit B** to Plaintiffs’ Complaint) of the Charter Oak policy with respect to bodily injury she allegedly sustained when struck by an auto while she was a pedestrian in a crosswalk in Park Ridge, Illinois. (See., **Ex. 1**, ¶¶ 8-11, 15 and Count I.) Count II repeats all prior allegations and seeks a declaration that Tsikretsis is “afforded coverage under the [MI UM Endorsement].” (*Id.*, Count II, ¶¶ 39-56.)

4. Plaintiffs Complaint alleges that Tsikretsis suffered “very significant bodily injuries that required her to be hospitalized for ...two weeks,” had “multiple surgeries performed to repair multiple fractures” and was “transferred to a rehab center for at least another two weeks of recovery and physical therapy.” (*Id.*, ¶ 23)

5. Plaintiffs Complaint alleges that Tsikretsis received payments from the at-fault driver’s insurer and another insurer totaling \$100,000.00 (One Hundred Thousand Dollars), but that said payments do not “come anywhere near” adequately compensating her for her injuries. (*Id.*, ¶¶ 16, 17, 24, 53). She seeks additional recovery under the MI UM Endorsement, which has a Limit of Insurance of \$1 million. (See, **Ex. A to Ex. 1**, form CA TO 30 02 16.)

6. Plaintiff Apple Valley Natural Foods, Inc. is a Michigan corporation with

its principal place of business located in Berrien Springs, Michigan. (**Ex. 1**, ¶ 3) Plaintiff Tsikretsis is a citizen of Park Ridge, Illinois. (*Id.*, ¶¶ 3, 15).

7. Charter Oak is a corporation formed under the laws of Connecticut, with its principal places of business located in Hartford, Connecticut.

8. Charter Oak denies that Tsikretsis is entitled to coverage under the MI UM Endorsement.

9. The state court action can be properly removed pursuant to 28 U.S.C. §1332(a)(1) in that this Court has jurisdiction based on the complete diversity of citizenship of the parties hereto and on the fact that the amount in controversy between the parties to this action exceeds \$75,000, exclusive of interest and costs.

10. Charter Oak will promptly send a copy of this Notice of Removal to the Clerk of the Circuit Court of Cook County, Illinois.

Wherefore, based upon the grounds for removal set forth above Defendant, The Charter Oak Fire Insurance Company, incorrectly sued as Travelers Indemnity Company, has filed this Notice of Removal, removing the instant action from the Circuit Court of Cook County, Illinois to this Court.

Respectfully submitted and signed pursuant Rule 11 of the Federal Rules of Civil Procedure, this 11th day of December, 2020, The Charter Oak Fire Insurance Company, incorrectly sued as Travelers Indemnity Company

By: /s/Richard T. Valentino  
One of Their Attorneys

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**CERTIFICATE OF SERVICE**

Richard T. Valentino, an attorney, certifies that he served the foregoing Notice of Removal upon counsel for Apple Valley Natural Foods, Inc. and Jenine Farah Tsikretsis, Peter S. Faraci, by causing a copy of said Notice to be sent to him via email at faraci@faracilaw.com on December 11, 2020.

/s/Richard T. Valentino